

Exhibit 1

THE | WEXLER | FIRM

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Facsimile Cover Sheet

To: Elizabeth A. Fegan Fax No.: (312) 762-9286

From: Edward A. Wallace

Date: August 3, 2005

Re: AWP

Total Number of Pages Including Cover Page: 2

Remarks: Please see the attached.

In case of difficulty in transmission, please call (312) 346-2222.

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Aug 3 2005 9:48 P.M.

Fax: 13123460022

WEXLER FIRM

AUG-02-2005 14:01

MSI

7734864459 P.02

**FEDERAL PROCESS SERVER****Commonwealth of Pennsylvania**

COUNTY OF PHILADELPHIA

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIAIn the matter of: IN RE: Pharmaceutical
Industry Average Wholesale Price
Litigation

(PLAINTIFF)

No. MDL 1456
PENDING IN THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

VS.

(DEFENDANT)

Affidavit of ServiceI declare that I am a citizen of the United States, and a competent adult over the age of eighteen and not a party to this action.
And that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: I served Erik Q. Schultz

NAME OF PERSON / ENTITY BEING SERVED PROCESS

with the (documents) Subpoena

At home 444 Valleybrook Rd, Media, PA

Place of Business

Other

On 7/31/05

3:45

P.M

Subpoena No.:

DATE

TIME

Manner of Service:(1) ~~XXXXXX~~ Witness(s) personally served.

(2) Adult family member with whom said Witness(s) reside. Relationship:

(3) Adult in charge of Witness(s) residence who refuse to give name or relationship.

(4) Manager/Clerk of place of lodging in which Witness(s) reside(s).

(5) Agent or person in charge of Witness(s) office or usual place of business.

(6) By posting copies in a conspicuous manner to the address of the person / entity to be served.

(7) Others:

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on

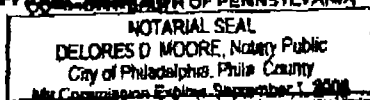
8/1/05
DATEPHILA
CITYPA
STATE

SIGNATURE OF PROCESS SERVER

DUDLEY G. BROWN
PRINT NAME
State of PENN
County of PHILA

Subscribed and sworn before me, a notary public, this 1st day of Aug 2005

WITNESS MY HAND AND OFFICIAL SEAL TO



NOTARY PUBLIC

P.02

Aug 3 2005 9:48

Fax: 13123460022

WEXLER FIRM

Exhibit 2



ELIZABETH A. FEGAN
312. 762.9235
beth@hagens-berman.com

HAGENS BERMAN
SOBOL SHAPIRO LLP

August 10, 2005

Via Overnight Delivery

Mr. Timothy M. Kolman
229 North Flower Mills Road
Langhorne, PA 19047

Re: **In re Pharmaceutical Industry AWP Litigation**

Dear Mr. Kolman:

Enclosed please find a copy of the Affidavit of Service showing personal service on Mr. Eric Schultz of the Subpoena for deposition and documents, scheduling his deposition for August 16, 2005 in Philadelphia, Pennsylvania.

As I previously advised you by voicemail, if you wish to speak to me about this matter, please call my cell phone at 312.731.2433.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Fegan', with a long horizontal stroke extending to the right.

Elizabeth A. Fegan

BF:bf

Enclosure

cc: Kimberly Harris and Trisha Lawson (via facsimile w/encl.)
Kenneth A. Wexler (via facsimile w/o encl.)

ATTORNEYS AT LAW

312.762.9237 312.762.9286

SEATTLE LOS ANGELES CAMBRIDGE PHOENIX CHICAGO

www.hbslaw.com

Exhibit 3

Carrie Flexer

-----Original Message-----

From: Trisha Lawson [mailto:tllawson@dpw.com]

Sent: Friday, August 12, 2005 4:22 PM

To: Beth Fegan; kawexler@wexlerfirm.com

Subject: Erik Schultz

Beth and Ken,

I called earlier to let you know that it is my understanding that it is Erik Schultz's position that he was not served with the subpoena and therefore does not intend to appear on Tuesday.

Trisha

Exhibit 4

Carrie Flexer

-----Original Message-----

From: Trisha Lawson [mailto:trisha.lawson@dpw.com]
Sent: Saturday, August 13, 2005 11:47 AM
To: Beth Fegan; tllawson@dpw.com; Ken Wexler
Subject: Re: Erik Schultz

I spoke to them and was told that he would not be appearing Tuesday (and that he didn't get the subpoena). I said I was going to let you know.

I know your affidavit of service says he was personally served, but I wouldn't make the trip.

-----Original Message-----

From: "Beth Fegan" <beth@hbsslaw.com>
Date: Sat, 13 Aug 2005 09:09:44
To: <tllawson@dpw.com>, <kawexler@wexlerfirm.com>
Subject: Re: Erik Schultz

Trisha,
I'm trying to save costs, but on the other hand don't want to not show up if he's playing me.

So, what is the basis of your understanding that Mr. Schultz is not showing up, ie did he or his attorney leave a voicemail or speak to someone and, if so, to whom?

Thanks,
Beth

-----Original Message-----

From: Beth Fegan <beth@hbsslaw.com>
To: 'tllawson@dpw.com' <tllawson@dpw.com>; 'kawexler@wexlerfirm.com' <kawexler@wexlerfirm.com>

Sent: Fri Aug 12 16:55:00 2005
Subject: Re: Erik Schultz

Thanks.

-----Original Message-----

From: Trisha Lawson <tllawson@dpw.com>
To: Beth Fegan <beth@hbsslaw.com>; kawexler@wexlerfirm.com
<kawexler@wexlerfirm.com>
Sent: Fri Aug 12 14:22:20 2005
Subject: Erik Schultz

Beth and Ken,

I called earlier to let you know that it is my understanding that it is Erik Schultz's position that he was not served with the subpoena and therefore does not intend to appear on Tuesday.

Trisha